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Oakland, CA 94610

Plaintiff, *Pro Se*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WELBORN FREEMAN,)	CASE NO 13-02421 WHO
)	
Plaintiff,)	JOINT STIPULATION AND
)	ORDER CONTINUING
v.)	HEARING ON MOTION TO DISMISS
)	
UNITED STATES and DOES 1-10.)	
)	
Defendant.)	
)	

STIPULATION

Subject to the approval of the Court, Plaintiff *pro se* Welborn Freeman ("Plaintiff") and Federal Defendant United States of America, by and through its counsel of record, hereby stipulate and agree as follows:

1. Plaintiff filed the Complaint in this action on May 29, 2013. Dkt. No. 1.
2. In response to Plaintiff's Complaint, Defendant has filed with this Court a Motion to Dismiss. Dkt. No. 5.
3. Plaintiff declined to proceed before a United States Magistrate Judge and this matter was reassigned to the Honorable William H. Orrick. Docket No. 10, 12.
4. This Court scheduled a Case Management Conference for September 3, 2013. Dkt. No. 13.
5. Plaintiff requested and this Court granted an extension of time to oppose Defendant's Motion to Dismiss until September 30, 2013. Defendant was given until October 7, 2013 to file a reply. The hearing for the Motion to Dismiss was set for October 30, 2012. Dkt. No. 18.
6. The parties stipulated and this Court ordered that the Case Management Conference would be held on November 5, 2013 at 2:00 p.m. Dkt. No. 23.
7. Counsel for the Defense has a business conflict on October 30, 2013, the date on which the hearing on the Motion to Dismiss was rescheduled.
8. The parties hereby respectfully request that the hearing on the Motion to Dismiss be continued until November 20, 2013 at 2 p.m., or as soon thereafter as is convenient for the Court. The parties agree that Plaintiff shall have until October 15, 2013 to file his Opposition to Defendant's Motion to Dismiss to provide an additional opportunity for him to retain counsel. Defendant shall file its reply no later than October 22, 2013.

IT IS SO STIPULATED.

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1 Dated: September 23, 2013

Respectfully Submitted,

2 MELINDA HAAG
3 United States Attorney

4 /s/ Rebecca A. Falk
5 REBECCA A. FALK
Assistant United States Attorney

6 Dated: September ____, 2013

Respectfully Submitted,

7
8 Welborn Freeman
9 Plaintiff, *pro se*

10 **ORDER**

11 Pursuant to the stipulation by the parties, and good cause having been shown, it is hereby ordered
12 that the hearing on Defendant's Motion to Dismiss scheduled for October 30, 2013 will be continued
13 until November 20, 2013 or as soon thereafter as is convenient for the Court. Plaintiff's Opposition is
14 due on October 15, 2013. Defendant's reply is due on October 22, 2013.

15 Further, the Case Management Conference previously scheduled for November 5, 2013 will be
16 continued and held at the conclusion of the law and motion hearing on November 20, 2013.

17
18 **IT IS SO ORDERED.**

19
20
21 DATED: September 30, 2013

22 
23 HONORABLE WILLIAM H. ORRICK
24 UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WELBORN FREEMAN,
Plaintiff,

Case Number: CV13-02421 WHO
CERTIFICATE OF SERVICE

v.

UNITED STATES et al,
Defendant.

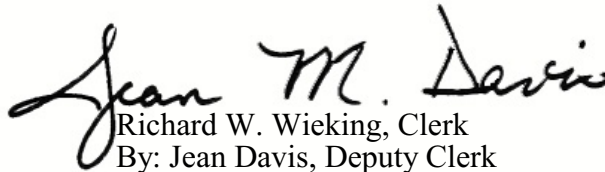
_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 30, 2013, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person hereinafter listed, by depositing said envelope in the U.S. Mail.

Welborn Freeman
276 Lee Street #101
Oakland, CA 94610

Dated: September 30, 2013


Richard W. Wieking, Clerk
By: Jean Davis, Deputy Clerk